

# Exhibit C

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**From:** [aberg@nwlink.com](mailto:aberg@nwlink.com) <[aberg@nwlink.com](mailto:aberg@nwlink.com)>

**Sent:** Wednesday, July 12, 2023 1:42 PM

**To:** [johndohm@lightfieldlab.com](mailto:johndohm@lightfieldlab.com)

**Subject:** Alan Jones-For Settlement Purposes Only

Dear Mr. Dohm,

This office represents Alan Jones regarding his former employment with Light Field Lab, Inc.

Attached, please find my correspondence dated July 12, 2023.

Regards,

Alex Buerger

The Law Office of Alex Buerger

318 6th Ave. S #126

Seattle, WA 98104

Phone: 206-405-4520

Fax: 206-405-3233

Email: [aberg@nwlink.com](mailto:aberg@nwlink.com)

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**From:** [aberg@nwlink.com](mailto:aberg@nwlink.com) <[aberg@nwlink.com](mailto:aberg@nwlink.com)>

**Sent:** Tuesday, July 25, 2023 5:44 PM

**To:** 'Modarresi, Ghazaleh' <[GModarresi@bwslaw.com](mailto:GModarresi@bwslaw.com)>



**Cc:** 'Peden, Patricia L.' <[PPeden@bwsllaw.com](mailto:PPeden@bwsllaw.com)>; 'Gonzalez, Lucy'

<[LGonzalez@bwsllaw.com](mailto:LGonzalez@bwsllaw.com)>

**Subject:** RE: Alan Jones

Ghazaleh,

Thank you for reaching out to me on this matter.

We understand the need for additional time to evaluate the case and look forward to a substantive response sometime next week.

We look forward to working with you and Patricia to resolve this matter on reasonable terms.

Best,

Alex

The Law Office of Alex Buerger

318 6th Ave. S #126

Seattle, WA 98104

Phone: 206-405-4520

Fax: 206-405-3233

Email: [aberg@nwlink.com](mailto:aberg@nwlink.com)

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**From:** Modarresi, Ghazaleh <[GModarresi@bwsllaw.com](mailto:GModarresi@bwsllaw.com)>

**Sent:** Tuesday, July 25, 2023 4:46 PM

**To:** [aberg@nwlink.com](mailto:aberg@nwlink.com)

**Cc:** Peden, Patricia L. <[PPeden@bwsllaw.com](mailto:PPeden@bwsllaw.com)>; Gonzalez, Lucy <[LGonzalez@bwsllaw.com](mailto:LGonzalez@bwsllaw.com)>

**Subject:** Alan Jones

Dear Alex,

We have been retained to represent Light Field Lab in connection with your client, Alan Jones. We are in receipt of your demand letter and note that you requested a response by today's date. Given that we have just been retained and are reviewing your letter, and the fact that my colleague Patricia Peden, who will be working on this matter as well, is traveling this week, we'd like to ask for an extension of time to respond to your letter. We plan to respond in the next week or so. We look forward to working with you to resolve this matter and share in your sentiments of a reasonable resolution without protracted litigation.

Thank you,

Ghazaleh

## Ghazaleh Modarresi | Partner

Pronouns: she, her, hers

60 South Market Street, Suite 1000 | San Jose, CA 95113

d - 408.606.6336 | t - 408.606.6300 | f - 408.606.6333

[gmodarresi@bwsllaw.com](mailto:gmodarresi@bwsllaw.com) | [bwsllaw.com](http://bwsllaw.com)



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Alan Jones

📧 Tue, Jul 25 • 17:49

aberg@nwlink.com

📎 📧 Fri, Aug 4 • 12:54

aberg@nwlink.com

📎 📧 Wed, Aug 9 • 14:49

aberg@nwlink.com

📎 📧 Mon, Aug 21 • 15:19

**From:** Modarresi, Ghazaleh <[GModarresi@bwsllaw.com](mailto:GModarresi@bwsllaw.com)>  
**Sent:** Thursday, August 3, 2023 4:26 PM  
**To:** [aberg@nwlink.com](mailto:aberg@nwlink.com)  
**Cc:** Peden, Patricia L. <[PPeden@bwsllaw.com](mailto:PPeden@bwsllaw.com)>; Gonzalez, Lucy <[LGonzalez@bwsllaw.com](mailto:LGonzalez@bwsllaw.com)>  
**Subject:** RE: Alan Jones

Hello Alex,

Are you agreeable to an early mediation in this matter? While we do not believe your client's demand letter accurately reflects what transpired, we think an early mediation may be worthwhile here. Please let us know. We are happy to propose some mediators.

Thank you,

Ghazaleh

**Ghazaleh Modarresi | Partner**

Pronouns: she, her, hers

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**From:** [aberg@nwlink.com](mailto:aberg@nwlink.com) <[aberg@nwlink.com](mailto:aberg@nwlink.com)>  
**Sent:** Friday, August 4, 2023 12:53 PM  
**To:** 'Modarresi, Ghazaleh' <[GModarresi@bwslaw.com](mailto:GModarresi@bwslaw.com)>  
**Subject:** RE: Alan Jones

Ghazaleh,

I will discuss the possibility of early mediation with my client and get back with next week.

Thank you,

Alex

The Law Office of Alex Buerger

318 6th Ave. S #126

Seattle, WA 98104

Phone: 206-405-4520

Fax: 206-405-3233

Email: [aberg@nwlink.com](mailto:aberg@nwlink.com)

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**From:** [aberg@nwlink.com](mailto:aberg@nwlink.com) <[aberg@nwlink.com](mailto:aberg@nwlink.com)>  
**Sent:** Tuesday, August 8, 2023 3:31 PM  
**To:** Modarresi, Ghazaleh <[GModarresi@bwsllaw.com](mailto:GModarresi@bwsllaw.com)>  
**Subject:** RE: Alan Jones

[EXTERNAL]

---

Ghazaleh,

I have discussed the possibility of early mediation with my client, and he is reluctant to agree to mediation without a substantive response and/or counteroffer to our initial settlement demand. At the very least, I recommend that your client present a counteroffer as a show of good faith.



Additionally, I am reluctant to recommend early mediation without some preliminary settlement negotiations and an exchange of documents to increase the likelihood of successful mediation. We have yet to receive a copy of Mr. Jones' personnel file or the investigative file on Mr. Jones' hostile work environment complaint, which we requested in our initial settlement demand. Please let us know when we can expect those documents.

That being said, this may be a case where early mediation is appropriate if the parties are willing to negotiate in good faith and exchange relevant documentation.

I think it would be helpful for us to have a discussion as to whether direct negotiations and/or early mediation would be productive at this point.

Would you have time for a phone call tomorrow or Thursday afternoon? I am available after 2:00 pm on both days. Let me know what would work with your schedule.

Thank you,

Alex

The Law Office of Alex Buerger

318 6th Ave. S #126

Seattle, WA 98104

Phone: 206-405-4520

Fax: 206-405-3233

Email: [aberg@nwlink.com](mailto:aberg@nwlink.com)

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---

**From:** Modarresi, Ghazaleh <[GModarresi@bwsllaw.com](mailto:GModarresi@bwsllaw.com)>

**Sent:** Wednesday, August 9, 2023 1:50 PM

**To:** [aberg@nwlink.com](mailto:aberg@nwlink.com)

**Cc:** Peden, Patricia L. <[PPeden@bwsllaw.com](mailto:PPeden@bwsllaw.com)>

**Subject:** RE: Alan Jones

**Communication Subject to Settlement Privilege:**

Alex,

I appreciate your client wanting a counteroffer, but we are not currently able to provide one. To us, the point of mediation is to learn information that will allow us to formulate a counteroffer. We cannot value the claim absent additional information.

We also believe that an exchange of documents will increase the likelihood of a successful mediation. We are working on the personnel file you requested and hope to have it to you soon. We too need documents and other information from Mr. Jones. Specifically, please provide us with all documents showing Mr. Jones' current employment status. If he is unemployed, please provide documents showing his efforts to find work. Finally, we request that Mr. Jones provide us with the encryption code to his work laptop.

In cases like this where the parties have a prior relationship emotion can be high. In our opinion the most likely means to resolving the dispute without litigation is to involve a mediator early, exchange position and get mediator feedback and then, based on what is learned, evaluate the settlement value of the claim. That is the process we propose here.

We would like to agree to a mediator so that we can get a date on calendar. We will exchange documents under the mediation privilege. Both parties will submit confidential mediation briefs. If we have an able mediator, we should be in a good position to resolve this matter.

Finally, I note that money available for settlement is limited. In a case such as this, where potential damages are relatively low, and attorney's fees are potentially high, early settlement discussions is beneficial to your client. There is no EPLI. Money spent on attorneys is money not available for settlement.

We would like to have a call to discuss on Monday. Are you available at 11:30 am?

Thank you,

Ghazaleh

**Ghazaleh Modarresi | Partner**

Pronouns: she, her, hers

60 South Market Street, Suite 1000 | San Jose, CA 95113

d - 408.606.6336 | t - 408.606.6300 | f - 408.606.6333

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**From:** [aberg@nwlink.com](mailto:aberg@nwlink.com) <[aberg@nwlink.com](mailto:aberg@nwlink.com)>  
**Sent:** Thursday, August 10, 2023 1:03 PM  
**To:** 'Modarresi, Ghazaleh' <[GModarresi@bwsllaw.com](mailto:GModarresi@bwsllaw.com)>  
**Cc:** 'Peden, Patricia L.' <[PPeden@bwsllaw.com](mailto:PPeden@bwsllaw.com)>  
**Subject:** RE: Alan Jones

Ghazaleh,

Monday at 11:30 am works for me.

What is the best phone number to reach you?

Alex

The Law Office of Alex Buerger

318 6th Ave. S #126

Seattle, WA 98104

Phone: 206-405-4520

Fax: 206-405-3233

Email: [aberg@nwlink.com](mailto:aberg@nwlink.com)

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**From:** [aberg@nwlink.com](mailto:aberg@nwlink.com) <[aberg@nwlink.com](mailto:aberg@nwlink.com)>  
**Sent:** Monday, August 14, 2023 4:00 PM  
**To:** Modarresi, Ghazaleh <[GModarresi@bwsllaw.com](mailto:GModarresi@bwsllaw.com)>  
**Cc:** Peden, Patricia L. <[PPeden@bwsllaw.com](mailto:PPeden@bwsllaw.com)>  
**Subject:** RE: Alan Jones

[EXTERNAL]

---

Ghazaleh and Patty,

I thought that our phone conversation this morning was productive and wanted to follow up on the documents that we are requesting to facilitate successful mediation:

1. Mr. Jones' Personnel File;
2. Investigative File of Mr. Jones hostile work environment complaint;
3. All communications regarding accommodation of Mr. Jones' remote work and LFL's requests that he return to in-office work;
4. All communications regarding Mr. Jones' job performance;
5. All communications regarding the decision to terminate Mr. Jones' employment;
6. All communications regarding Mr. Jones' work on the wave tracing optics model and interference masking;

I believe that this document request is very reasonable and would be necessary to facilitate successful mediation.

Please discuss the document request with your client and let me know your thoughts.

Thank you,



Alex

The Law Office of Alex Buerger

318 6th Ave. S #126

Seattle, WA 98104

Phone: 206-405-4520

Fax: 206-405-3233

Email: [aberg@nwlink.com](mailto:aberg@nwlink.com)

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**From:** Modarresi, Ghazaleh <[GModarresi@bwsllaw.com](mailto:GModarresi@bwsllaw.com)>

**Sent:** Thursday, August 17, 2023 11:31 AM

**To:** [aberg@nwlink.com](mailto:aberg@nwlink.com)

**Cc:** Peden, Patricia L. <[PPeden@bwsllaw.com](mailto:PPeden@bwsllaw.com)>

**Subject:** RE: Alan Jones

Alex,

Thank you. We will confer with our client and circle back with you next week.

In the meantime, here are some proposed mediators and their bios for your review:

Shirish Gupta: <https://www.jamsadr.com/gupta/>

Hon. William J. Cahill (Ret.): <https://www.jamsadr.com/cahill/>

Hon. Rebecca Westerfield (Ret.): <https://www.jamsadr.com/westerfield/>

### **Ghazaleh Modarresi | Partner**

Pronouns: she, her, hers

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**From:** Peden, Patricia L. <[PPeden@bwsllaw.com](mailto:PPeden@bwsllaw.com)>  
**Sent:** Thursday, August 31, 2023 3:28 PM  
**To:** [aberg@nwlink.com](mailto:aberg@nwlink.com)  
**Cc:** Modarresi, Ghazaleh <[GModarresi@bwsllaw.com](mailto:GModarresi@bwsllaw.com)>  
**Subject:** FW: Light Field Lab, Inc./Jones

**Subject to mediation/settlement privilege.**

Alex and Ghazaleh:

This is outrageous! I've checked around and am told mediation costs have soared. While I'm all for having an objective party present for discussions, I hate that our clients are going to have to pay for it. Is it worth having an attorney-to-attorney discussion about resolution before we spend money for help? If we can't reach a deal soon, then we can hire someone to facilitate further discussions. Just a thought.

Patty

---

**From:** Modarresi, Ghazaleh <[GModarresi@bwsllaw.com](mailto:GModarresi@bwsllaw.com)>  
**Sent:** Thursday, August 31, 2023 10:59 AM  
**To:** Jesika Lee <[JLee@jamsadr.com](mailto:JLee@jamsadr.com)>; Gonzalez, Lucy <[LGonzalez@bwsllaw.com](mailto:LGonzalez@bwsllaw.com)>  
**Cc:** Peden, Patricia L. <[PPeden@bwsllaw.com](mailto:PPeden@bwsllaw.com)>; [aberg@nwlinc.com](mailto:aberg@nwlinc.com)  
**Subject:** RE: Light Field Lab, Inc./Jones

Hi Jesika,

I just want to make sure this is correct. \$20,000/day for a single plaintiff wrongful termination case? This is not a class action lawsuit. Thank you.

**Ghazaleh Modarresi | Partner**

Pronouns: she, her, hers

60 South Market Street, Suite 1000 | San Jose, CA 95113

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---

**From:** Jesika Lee <[JLee@jamsadr.com](mailto:JLee@jamsadr.com)>

**Sent:** Thursday, August 31, 2023 10:54 AM

**To:** Modarresi, Ghazaleh <[GModarresi@bwsllaw.com](mailto:GModarresi@bwsllaw.com)>; Gonzalez, Lucy <[LGonzalez@bwsllaw.com](mailto:LGonzalez@bwsllaw.com)>

**Cc:** Peden, Patricia L. <[PPeden@bwsllaw.com](mailto:PPeden@bwsllaw.com)>; [aberg@nwlinc.com](mailto:aberg@nwlinc.com)

**Subject:** RE: Light Field Lab, Inc./Jones

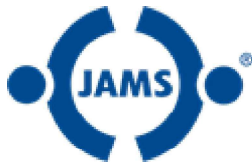
[EXTERNAL]

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Thank you. Please see attached.

Please let me know if you are interested in placing a hold on Shirish's calendar.

Kind regards,



**Jesika Lee (she/her)**

Case Manager

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**From:** Modarresi, Ghazaleh <[GModarresi@bwsllaw.com](mailto:GModarresi@bwsllaw.com)>

**Sent:** Thursday, August 31, 2023 10:50 AM

**To:** Jesika Lee <[JLee@jamsadr.com](mailto:JLee@jamsadr.com)>; Gonzalez, Lucy <[LGonzalez@bwsllaw.com](mailto:LGonzalez@bwsllaw.com)>

**Cc:** Peden, Patricia L. <[PPeden@bwsllaw.com](mailto:PPeden@bwsllaw.com)>; [aberg@nwlinc.com](mailto:aberg@nwlinc.com)

**Subject:** RE: Light Field Lab, Inc./Jones

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Single plaintiff wrongful termination claim.

**Ghazaleh Modarresi | Partner**

Pronouns: she, her, hers

LFL v. Jones - Bates No. 000036

60 South Market Street, Suite 1000 | San Jose, CA 95113

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---

**From:** Jesika Lee <[JLee@jamsadr.com](mailto:JLee@jamsadr.com)>

**Sent:** Thursday, August 31, 2023 10:48 AM

**To:** Modarresi, Ghazaleh <[GModarresi@bwsllaw.com](mailto:GModarresi@bwsllaw.com)>; Gonzalez, Lucy <[LGonzalez@bwsllaw.com](mailto:LGonzalez@bwsllaw.com)>

**Cc:** Peden, Patricia L. <[PPeden@bwsllaw.com](mailto:PPeden@bwsllaw.com)>; [aberg@nwlink.com](mailto:aberg@nwlink.com)

**Subject:** RE: Light Field Lab, Inc./Jones

[EXTERNAL]

---

Good Morning,

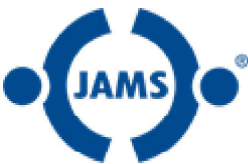
Shirish is available as follows:



- September: 14, 19, 22, and 25 - 27
- October: 2, 12 – 13, 16 – 19, 22, 24 – 26, and 31

In order to provide you with his fee schedule, can you provide me with a brief description/summary of the case?

Kind regards,



**Jesika Lee (she/her)**

Case Manager

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P: 408.346.0767

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**From:** Modarresi, Ghazaleh <[GModarresi@bwsllaw.com](mailto:GModarresi@bwsllaw.com)>

**Sent:** Thursday, August 31, 2023 10:23 AM

**To:** Jesika Lee <[JLee@jamsadr.com](mailto:JLee@jamsadr.com)>; Gonzalez, Lucy <[LGonzalez@bwsllaw.com](mailto:LGonzalez@bwsllaw.com)>

**Cc:** Peden, Patricia L. <[PPeden@bwsllaw.com](mailto:PPeden@bwsllaw.com)>; [aberg@nwlink.com](mailto:aberg@nwlink.com)

**Subject:** RE: Light Field Lab, Inc./Jones

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Hi Jesika,

What is the cost for a full day? Can you please also send us Shirish's first availability so that we can gauge timeline for mediation.

Thank you,

Ghazaleh

**Ghazaleh Modarresi | Partner**

Pronouns: she, her, hers

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---

**From:** Jesika Lee <[JLee@jamsadr.com](mailto:JLee@jamsadr.com)>

**Sent:** Tuesday, August 29, 2023 4:41 PM

**To:** Gonzalez, Lucy <[LGonzalez@bwsllaw.com](mailto:LGonzalez@bwsllaw.com)>

**Cc:** Modarresi, Ghazaleh <[GModarresi@bwsllaw.com](mailto:GModarresi@bwsllaw.com)>; Peden, Patricia L.  
<[PPeden@bwsllaw.com](mailto:PPeden@bwsllaw.com)>; [aberg@nwlink.com](mailto:aberg@nwlink.com)

**Subject:** RE: Light Field Lab, Inc./Jones

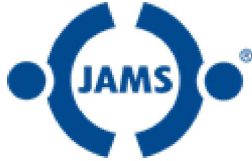
[EXTERNAL]

---

Good Afternoon Lucy,

Unfortunately Shirish does not do any half day mediations; only full day mediations. Please let me know if you are interested in a full day mediation and I can provide you with Shirish's availability.

Kind regards,



**Jesika Lee (she/her)**

Case Manager

**JAMS - Local Solutions. Global Reach.<sup>TM</sup>**

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**From:** Gonzalez, Lucy <[LGonzalez@bwsllaw.com](mailto:LGonzalez@bwsllaw.com)>

**Sent:** Tuesday, August 29, 2023 4:35 PM

**To:** Jesika Lee <[JLee@jamsadr.com](mailto:JLee@jamsadr.com)>

**Cc:** Modarresi, Ghazaleh <[GModarresi@bwsllaw.com](mailto:GModarresi@bwsllaw.com)>; Peden, Patricia L.  
<[PPeden@bwsllaw.com](mailto:PPeden@bwsllaw.com)>; [aberg@nwlink.com](mailto:aberg@nwlink.com)

**Subject:** Light Field Lab, Inc./Jones

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Hello Jesika:

I am writing to request Mr. Gupta's availability for a half day virtual mediation in the next several months. Kindly advise as to your availability as well. This is for a single plaintiff case.

Thank you.

**Lucy Gonzalez | Legal Secretary to  
Elizabeth M. Pappy and Ghazaleh Modarresi**

Pronouns: she, her, hers

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**From:** Peden, Patricia L. <PPeden@bwsllaw.com>  
**Sent:** Friday, September 15, 2023 7:33 AM  
**To:** aberg@nwlink.com  
**Cc:** Modarresi, Ghazaleh <GModarresi@bwsllaw.com>  
**Subject:** Alan Jones

**Privileged Settlement Communication Subject to FRE 408, California Evidence Code Sections 1152 and 1154, and the Mediation Privilege.**

Alex:

Thank you for your patience as I spoke with my client about a counteroffer. After much discussion, my client is willing to make the following offer to Alan. Please note that this offer is time sensitive, as indicated below.

Your client has vested options totaling [REDACTED] shares. These will expire on September 23, 2023, and cannot be revived by an arbitrator. When we spoke last week, you indicated Alan is particularly interested in retaining his shares and we have given that great consideration. Our offer is that Light Field Lab will exercise all of Alan's vested options. Alan will not have to pay to exercise the options—we will simply receive the shares as settlement.

Alan must accept this offer and execute a settlement and severance agreement (releasing all claims) by September 22 at noon before the shares expire. If Alan accepts this offer, please let me know as soon as possible so we can begin exchanging settlement agreements to meet the September 22 deadline.

Regards,  
Patty

**Patricia L. Peden | Partner**

1999 Harrison Street, Suite 1650 | Oakland, CA 94612-3520  
d - 510.903.8805 | t - 510.273.8780 | f - 510.839.9104 | m - 510.693.3293  
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John Dohm Cor 7-12-23 (ER 408 Protected).pdf  
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2023-12-13 RELEASE and COVENANT NOT TO SUE w EXHIBIT A.pdf  
7.4MB

**From:** Peden, Patricia L. <[PPeden@bwsllaw.com](mailto:PPeden@bwsllaw.com)>  
**Sent:** Monday, September 18, 2023 6:07 PM  
**To:** [aberg@nwlink.com](mailto:aberg@nwlink.com)  
**Cc:** Modarresi, Ghazaleh <[GModarresi@bwsllaw.com](mailto:GModarresi@bwsllaw.com)>  
**Subject:** RE: Alan Jones-For Settlement Purposes Only

**Privileged Settlement Communication Subject to FRE 408, California Evidence Code Sections 1152 and 1154, and the Mediation Privilege.**

Hi Alex:

Thanks for the prompt response. One clarification, I did not say that an extension was "feasible." In fact, I was clear that it may not be. I explained there are complications, that other counsel would have to be consulted, and that any decision would have to be made by the board. I cannot represent, and did not represent, that we would certainly agree to an extension, only that we would discuss the topic. I did suggest we talk to our clients about the term of any extension to see if we could bridge the time gap, should we find that an extension would work. I discussed the strike period with my client and Light Field Lab made an offer that removed the uncertainty and complications around the strike period. The offer was made in good faith and in the hope that simplification would move things to closure.

My client will not offer an extension of the strike period in the future. For that reason, we will leave our offer open for this week, contingent on getting a deal signed by Friday. If we don't have a deal by Friday, the stock issue will no longer be in play, and we will only be discussing a payout. If that is the course your client wishes to take, please send a money-only counteroffer that I can take to my client. I would like to work toward reaching a settlement in the next two weeks, if possible.



Best,

Patty

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**From:** [aberg@nwlink.com](mailto:aberg@nwlink.com) <[aberg@nwlink.com](mailto:aberg@nwlink.com)>  
**Sent:** Monday, September 18, 2023 4:51 PM  
**To:** Peden, Patricia L. <[PPeden@bwsllaw.com](mailto:PPeden@bwsllaw.com)>  
**Cc:** Modarresi, Ghazaleh <[GModarresi@bwsllaw.com](mailto:GModarresi@bwsllaw.com)>  
**Subject:** RE: Alan Jones-For Settlement Purposes Only

[EXTERNAL]

---

Patty,

I have discussed LFL's settlement offer with my client, and he has rejected it.

The tax implications alone make the proposal unfeasible.

When we discussed the parameters of a prospective settlement on September 8, 2023, I explained that my client would be inclined to reduce his initial monetary demand if your client would be agreeable to extending the strike period of his options. You indicated that an extension was feasible but would require board approval. You indicated that you would consult with your client as to the length of the extension and requested that I do the same on my end with my client.

We would like to get serious in terms of settlement discussions, but LFL's current settlement proposal is so far outside the parameters of what we discussed on September 8, 2023, that it is a non-starter.

As we discussed on September 8, 2023, let me know if your client is agreeable to the requested extension and what it is willing to put on the table in terms of a monetary settlement.

Thank you,

Alex

The Law Office of Alex Buerger

318 6th Ave. S #126

Seattle, WA 98104

Phone: 206-405-4520

Fax: 206-405-3233

Email: [aberg@nwlink.com](mailto:aberg@nwlink.com)

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What part of your damages demand is directed to lost wages and benefits?

Is your client claiming non-economic damages? If so, what are they? How much are you seeking for those damages? In other words, how much of your demand is attributed to non-economic damages?

**From:** [aberg@nwlink.com](mailto:aberg@nwlink.com) <[aberg@nwlink.com](mailto:aberg@nwlink.com)>  
**Sent:** Tuesday, September 26, 2023 2:22 PM  
**To:** Peden, Patricia L. <[PPeden@bwslaw.com](mailto:PPeden@bwslaw.com)>  
**Cc:** Modarresi, Ghazaleh <[GModarresi@bwslaw.com](mailto:GModarresi@bwslaw.com)>  
**Subject:** RE: Alan Jones-For Settlement Purposes Only

[EXTERNAL]

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Patty,

I have now had an opportunity to discuss with my client your request for a money-only settlement offer.

My client has authorized a money-only settlement of \$[REDACTED] in exchange for a full release of claims.

This offer represents a substantial reduction from our initial demand of July 12, 2023. Our initial demand of \$[REDACTED], was predicated on a 5-year extension of the PTEP. By our calculations, the value of the forfeited LFL shares alone is in excess of \$[REDACTED].

We believe that a \$[REDACTED] settlement offer is a very reasonable early settlement offer given the potential liability, fees and costs of litigating this case. As we have previously discussed, the defense costs and arbitration fees alone in this case could easily exceed \$[REDACTED].

My client's current offer represents a very substantial reduction from our initial demand and is being presented in good faith with the expectation that we will see substantial movement in LFL's counteroffer.

We would like a response to our offer by October 2, 2023.

Thank you,

Alex

318 6th Ave. S #126

Seattle, WA 98104

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Email: [aberg@nwlink.com](mailto:aberg@nwlink.com)

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**From:** Peden, Patricia L. <[PPeden@bwsllaw.com](mailto:PPeden@bwsllaw.com)>  
**Sent:** Wednesday, September 27, 2023 1:45 PM  
**To:** [aberg@nwlink.com](mailto:aberg@nwlink.com)  
**Cc:** Modarresi, Ghazaleh <[GModarresi@bwsllaw.com](mailto:GModarresi@bwsllaw.com)>  
**Subject:** RE: RE: Alan Jones-For Settlement Purposes Only

**Privileged Settlement Communication Subject to FRE 408, California Evidence Code Sections 1152 and 1154, and the Mediation Privilege.**

Alex,

Thank you for providing a counteroffer. I am encouraged that we continue to seek resolution without incurring additional costs. I am discussing our response with my client. That said, we need additional information before we can respond. Can you please answer the following:

How did you calculate that Alan's options are worth \$[REDACTED]? Are you including only vested options, or does your calculation include unvested shares? How do you calculate the per share price? We need a detailed explanation so we can see where we differ on the calculation and try, if possible, to reach an agreed-to number.

Do you allege a breach of the Light Field Lab 2017 Stock Incentive Plan? To date, I understand your position to be that the value of the stock options are part Alan's wages. Please confirm.

What day did Alan start at his new job? We asked that you inquire whether Alan was looking for a new job while still employed at Light Field Lab. What did you learn?

What part of your damages demand is directed to lost wages and benefits?

Is your client claiming non-economic damages? If so, what are they? How much are you seeking for those damages? In other words, how much of your demand is attributed to non-economic damages?

I look forward to receiving this important information soon.

Best,

Patty

**From:** aberg@nwlink.com <aberg@nwlink.com>  
**Sent:** Thursday, September 28, 2023 1:45 PM  
**To:** 'Peden, Patricia L.' <PPeden@bwsllaw.com>  
**Cc:** 'Modarresi, Ghazaleh' <GModarresi@bwsllaw.com>  
**Subject:** RE: RE: Alan Jones-For Settlement Purposes Only

Patty,

Our calculations for equity loss are based on a FMV of \$[REDACTED] per share and are outlined in our initial demand of July 12, 2023.



For the [REDACTED] vested shares, we calculated a FMV of \$ [REDACTED] and subtracted out \$ [REDACTED] strike price for an equity loss of \$ [REDACTED]. On the vested shares, the strike price is \$ [REDACTED] per share.

For the [REDACTED] unvested shares we calculated a FMV of \$ [REDACTED] and subtracted out \$ [REDACTED] strike price for an equity loss of \$ [REDACTED]. On the unvested shares, the strike price is \$ [REDACTED] for [REDACTED] shares and \$ [REDACTED] for [REDACTED] shares.

You are correct that we are claiming equity loss as part of Alan's wages.

As outlined in our initial demand, we are also seeking recovery of general damages, punitive damages and attorneys' fees, but a discussion on damage characterization is premature at this point.

In regard to substitute employment, my client began substitute employment on July 31, 2023, and was not engaged in an active job search at any time during his employment with LFL.

Should you have any questions, feel free to reach out.

We look forward to LFL's counteroffer.

Thank you,

Alex

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**From:** [aberg@nwlink.com](mailto:aberg@nwlink.com)

**Date:** October 12, 2023 at 6:01:10 PM PDT

**To:** "Peden, Patricia L." <[PPeden@bwsllaw.com](mailto:PPeden@bwsllaw.com)>

**Cc:** "Modarresi, Ghazaleh" <[GModarresi@bwsllaw.com](mailto:GModarresi@bwsllaw.com)>

**Subject:** Alan Jones/LFL-For Settlement Purposes Only

Patty,

Following up on my voice message from earlier today, our counteroffer has been pending since September 26, 2023, and we have yet to receive a response from your client.

We have previously discussed the benefits of direct negotiations and early settlement, but I am under increasing pressure from my client to move this case along.

If we do not receive a good faith counteroffer from your client by October 18, 2023, we will need to proceed forward with our administrative filings.

Thank you,

Alex

The Law Office of Alex Buerger

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 Wed, Oct 25 • 15:44